

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THOMAS CAGGIANO,

Plaintiff,

vs.

ERIC HOLDER,

Defendant.

Case No. 2:12-cv-01484-GMN-GWF

ORDER

Motion for Writ of Mandamus (#7)

This matter comes before the Court on Plaintiff Thomas Caggiano's ("Plaintiff") Motion for Writ of Mandamus (#7), which the Court ordered stricken for exceeding Local Rule 7-4's page limits on November 15, 2012 (#16). Despite Plaintiff's filing (#7) being titled a "motion," the Court, upon further review, construes the Motion for Writ of Mandamus to be a petition. Therefore, it is not subject to Rule 7-4's page limit. *See Johnson v. McDaniel*, 2012 WL 870726, *3 (D. Nev. 2012) (Rule 7-4 applies to motions and responses). Accordingly,

IT IS HEREBY ORDERED that the Court's November 15, 2012 Order (#15) is **withdrawn** as to Plaintiff's Motion for Writ of Mandamus (#7).

IT IS FURTHER ORDERED that the Clerk of the Court shall re-open Plaintiff's Motion for Writ of Mandamus (#7).

DATED this 21st day of November, 2012.



GEORGE FOLEY, JR.
United States Magistrate Judge